

SIEGLE & SIMS L.L.P.  
THE ASTOR BUILDING  
217 BROADWAY • SUITE 611  
NEW YORK, NEW YORK 10007  
TELEPHONE: (212) 406-0110  
FACSIMILE: (212) 406-5259

ERIC W. SIEGLE

January 9, 2008

JONATHAN D. SIMS

**VIA HAND DELIVERY**

United States District Court  
Southern District of New York  
500 Pearl Street, Room 1310  
New York, New York 10007  
Attn.: Michael H. Dolinger, U.S.M.J.

Re: **Zhao v. City of New York et al.**  
**07CV.3636 (LAK)(MHD)**

Dear Honorable Judge Dolinger:

Enclosed please find a copy of a motion pursuant to FRCP Rule 37(b)(2) filed on this date via ECF by plaintiff with **complete** copies of exhibits. Please note that the exhibits filed via ECF do not include any document designated by defendants' counsel "ATTORNEY'S EYES ONLY - CONFIDENTIAL," regardless of the propriety of that designation, and therefore are only contained herein.

Respectfully submitted,

SIEGLE & SIMS L.L.P.



Eric W. Siegle

cc: John H. Graziadei, A.C.C. (via hand delivery)

ENCLOSED  
ORDER

Defendants are to respond  
to this application by no later  
than January 16, 2008. Plaintiff  
may reply by January 18, 2008.

1/10/08